

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

# IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION

MDL No. 1456

Civil Action No. 01-12257-PBS

THIS DOCUMENT RELATES TO:  
ALL CLASS ACTIONS

Judge Patti B. Saris

**THE JOHNSON & JOHNSON DEFENDANTS' OPPOSITION TO CLASS  
PLAINTIFFS' MOTION FOR AN ORDER APPROVING THE FORM AND  
MANNER OF CLASS NOTICE**

Johnson & Johnson, Centocor, Inc., and Ortho Biotech Products, L.P. (the J&J Defendants) respectfully submit this opposition to Class Plaintiffs’ Motion for an Order Approving the Form and Manner of Class Notice (“Plaintiffs’ Motion”). The J&J Defendants adopt and incorporate herein the reasoning set forth in the memoranda authored by the other Track 1 Defendants, which are being filed today. The J&J Defendants also oppose Plaintiffs’ Motion for the additional that it improperly lists at least two Johnson & Johnson companies (McNeil-PPC, Inc. and Janssen Pharmaceutica Products, L.P.) that are not alleged to have engaged in wrongdoing relating to Procrit® and Remicade®, the only to Johnson & Johnson company products at issue.

For these reasons, the J&J Defendants respectfully request that Plaintiffs' Motion be DENIED.

Respectfully submitted,

/s/ Andrew D. Schau

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Dated: June 2, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that on June 2, 2006, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Andrew D. Schau

Andrew D. Schau